

S/N: TBA

7/3/2001

DOCKET NO.: SUDA-109-DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Hiroyuki OGAWA

Serial No.: To Be Announced

Divisional of S/N: 09/213,872

Art Unit: 1631

Filed: July 3, 2001

Examiner: M. Moran

For: METHOD AND APPARATUS FOR DETECTING MICROORGANISMS, AND QUANTITIES OF MICROORGANISMS

PRELIMINARY AMENDMENT

Assistant Commissioner of
Patent and Trademarks
Washington, D.C. 20231
BOX: PATENT APPLICATIONS

Sir:

After assigning a serial number to the above-captioned application and before calculating the fee, please undertake the following changes:

IN THE SPECIFICATION:

Please insert the following two paragraphs beginning at line 3 of page 1:

--This application is a Divisional of application 09/213,872 filed on December 17, 1998.--

---This application claims the priority of Japanese Patent Application No. 9-365,342, filed on December 18, 1997, which is incorporated herein by reference.--

Please replace the paragraph beginning at line 9 of page 10 with the following rewritten paragraph:

--(D) simplified figure of fourth form of application: a microbial detection tool--

Please replace the paragraph beginning at line 11 of page 10 with the following rewritten paragraph:

--(E) simplified figure of fourth form of application: detailed breakdown of a microbial detection tool--

Please replace the paragraph beginning at line 22 of page 12 with the following rewritten paragraph:

--As FIG. 2 shows, a microbial detection system 10 using a microbial detection container tool 1A comprises a loading portion 11 for a microbial detection container tool 1A, a light source 12, lenses 13, 14, a slit 15, a color filter 16, a sensor 17 and an alarm (not shown in the figure). Light from a light source 12 passes through a lens 13, a slit 15, a color filter 16 a CO₂ indicator 8A of a microbial detection container tool 1A, and a lens 14, and then is detected by a sensor 17. A sensor 17 picks up a color response of a CO₂ indicator 8a of a microbial detection container tool 1A placed on a loading portion 11, and then sends the microorganism detection signal to an alarm. An alarm informs the presence of microorganisms, according to the microorganism detection signal received from a sensor 17.--

IN THE CLAIMS:

Please cancel claims 3 - 6.

REMARKS

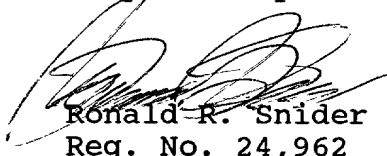
A restriction requirement was issued in the parent application S/N: 09/213,872 on January 26, 1999. At that time Applicant elected to prosecute claims 3 - 6.

Applicant has now decided to prosecute claims 1 and 2 drawn to the method of detecting or quantifying microorganisms by CO₂ detection. Therefore, claims 3 - 6 are canceled in this application. It is respectfully submitted that no new matter has been added by this amendment to the Claims.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with Marking to Show Changes Made."

It is submitted that the present amendment places the application in good form for allowance, and an early and favorable action for this application is respectfully solicited.

Respectfully submitted,



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Date: July 3, 2001

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VERSION WITH MARKINGS TO SHOW CHANGES MADEIn the Specification:

Two paragraphs have been inserted beginning at line 3 of page 1.

The paragraph beginning at line 9 of page 10 has been amended as follows:

(D) simplified figure of [forth] fourth form of application: a microbial detection tool

The paragraph beginning at line 11 of page 10 has been amended as follows:

(E) simplified figure of [forth] fourth form of application: detailed breakdown of a microbial detection tool

The paragraph beginning at line 22 of page 12 has been amended as follows:

As FIG. 2 shows, a microbial detection system 10 using a microbial detection container tool 1A comprises a loading portion 11 for a microbial detection container tool 1A, a light source 12, lenses 13, 14, a slit 15, a color filter 16, a sensor 17 and an alarm (not shown in the figure). Light from a light source 12 passes through a lens 13, a slit 15, a color filter [15] 16 a CO₂ indicator 8A of a microbial detection container tool 1A, and a lens

14, and then is detected by a sensor 17. A sensor 17 picks up a color response of a CO₂ indicator 8a of a microbial detection container tool 1A placed on a loading portion 11, and then sends the microorganism detection signal to an alarm. An alarm informs the presence of microorganisms, according to the microorganism detection signal received from a sensor 17.

In the Claims:

Claims 3 - 6 have been canceled.